

Department of Planning, Building and Code Enforcement

INITIAL STUDY

PROJECT FILE NO.: PP03-12-373

PROJECT DESCRIPTION: Public Project to re-establish a Recycling Market Development Zone (RMDZ) in the City of San Jose for ten additional years so that businesses which use secondary (recycled) materials from the waste stream as feedstock for their manufacturing processes are eligible for technical and financial assistance. The City of San Jose Department of Environmental Services proposes to apply to the California Integrated Waste Management Board to designate the City of San Jose as an RMDZ for ten additional years under the California Integrated Waste Management Act of 1989 (Public Resources Code Section 42000).

PROJECT LOCATION: City of San Jose

GENERAL PLAN DESIGNATION: Various ZONING: Various

SURROUNDING LAND USES: N/A

PROJECT APPLICANT'S NAME AND ADDRESS: Peggy Horning, City of San Jose Department of Environmental Services, 777 N. First Street, Suite 300, San Jose, CA 95112

DETERMINATION

On the basis of this initial study:

\boxtimes	I find the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.							
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A MITIGATED NEGATIVE DECLARATION will be prepared.							
	I find the proposed project could have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT(EIR) is required.							
	I find the proposed project could have a significant effect on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached initial study. An EIR is required that analyzes only the effects that were not adequately addressed in a previous document.							
	I find that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are included in the project, and further analysis is not required.							
Date	Signature							
	Name of Preparer: Ron Eddow Phone No.: (408) 277-4576							

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources			
I. AESTHETICS - Would the project:								
a) Have a substantial adverse effect on a scenic vista?				\bowtie	1,2			
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?				×	1,2			
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				×	1,2			
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?					1,2			
e) Increase the amount of shade in public and private open space on adjacent sites?					1,2			
FINDINGS:								
MITIGATION MEASURES: None required.								
II. AGRICULTURE RESOURCES - Would the project	•							
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				×	1,3,4			
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				⊠	1,3,4			
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				\boxtimes	1,3,4			
FINDINGS:								
MITIGATION MEASURES: None required.								
III. AIR QUALITY - Would the project:								
a) Conflict with or obstruct implementation of the applicable air quality plan?					1,14			
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				×	1,14			
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?				×	1,14			
d) Expose sensitive receptors to substantial pollutant concentrations?				×	1,14			
e) Create objectionable odors affecting a substantial number of people?					1,14			

MITIGATION MEASURES: None required.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
IV. BIOLOGICAL RESOURCES - Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				\boxtimes	1,10
b) Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				⊠	1,6,10
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?				⊠	1,6
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				\boxtimes	1,10
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	1,11
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				×	1,2
FINDINGS: MITIGATION MEASURES: None required. V. CULTURAL RESOURCES - Would the project:					
a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?				\boxtimes	1,7
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?				X	1,8
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?				\boxtimes	1,8
d) Disturb any human remains, including those interred outside of formal cemeteries?				\boxtimes	1,8
FINDINGS:					
MITIGATION MEASURES: None required.					
VI. GEOLOGY AND SOILS - Would the project: a) Expose people or structures to potential substantial adverse effects,					
including the risk of loss, injury, or death involving: 1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)				×	1,5,24
2) Strong seismic ground shaking?				\boxtimes	1,5,24
3) Seismic-related ground failure, including liquefaction?				\boxtimes	1,5,24

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources		
4) Landslides?			П		1,5,24		
1							
b) Result in substantial soil erosion or the loss of topsoil?				\boxtimes	1,5,24		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				×	1,5,24		
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				⊠	1,5,24		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				×	1,5,24		
MITIGATION MEASURES: None required. VII. HAZARDS AND HAZARDOUS MATERIALS -	•						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				\boxtimes	1		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				\boxtimes	1		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				⊠	1		
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				\boxtimes	1,12		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				×	1,2		
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				×	1		
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?				\boxtimes	1,2		
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				×	1		

MITIGATION MEASURES: None required.

	Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
H	HYDROLOGY AND WATER QUALITY - Would the p	project:				
a)	Violate any water quality standards or waste discharge requirements?				\boxtimes	1,15
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?					1
c)	Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?					1
d)	Result in increased erosion in its watershed?				×	1
e)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?					1
f)	Substantially alter drainage patterns due to changes in runoff volumes and flow rates?				\boxtimes	
g)	Result in increased impervious surfaces and associated increased runoff as specified in the NPDES permit and the City's Post Construction Urban Runoff Management Policy?				×	
h)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				×	1,17
i)	Result in an increase in pollutant discharges to receiving waters such as heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash?					1,17
j)	Result in an increase in any pollutant for which the water body is already impaired as listed on the Clean Water Act Section 303 (d) list available from the State Water Resources Control Board?				⊠	
k)	Result in alteration of receiving water quality during or following construction including clarity, temperature, and level of pollutants?				×	
1)	Substantially alter surface water quality, or marine, fresh, or wetland waters as specified in the NPDES permit?					
m)	Substantially alter ground water quality as specified in the NPDES permit?					
n)	Cause or contribute to an exc eedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses as specified in the NPDES Permit, General Plan, and City policy?				⊠	
o)	Otherwise substantially degrade water quality?				×	1
p)	Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				×	1,9
q)	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				\boxtimes	1,9
r)	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?				⊠	1

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
s) Be subject to inundation by seiche, tsunami, or mudflow?					1
FINDINGS:					1
MITIGATION MEASURES: None required.					
VIII. LAND USE AND PLANNING - Would the proje	ct:				
a) Physically divide an established community?				×	1,2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			⊠		1,2
c) Conflict with any applicable habitat conservation plan or natural					1,2
community conservation plan? FINDINGS: The proposed project would re-establish a Recyclin	~ Moultot	Davidanmant	Zana (DM	[D7] :	the City
The strategy seeks to reduce traffic congestion, pollution, wasteft environment. By conserving natural resources and preserving Sa sustainability becomes a means of encouraging and supporting a all who live and work in San Jose.	ın Jose's r	natural living e	nvironmer	nt, the c	concept of
MITIGATION MEASURES: None required. W. MINERAL DESCRIPCES: World the project.					
IX. MINERAL RESOURCES - Would the project: a) Result in the loss of availability of a known mineral resource that				\boxtimes	1,2,23
would be of value to the region and the residents of the state?					1,2,23
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				⊠	1,2,23
FINDINGS:					
TH (DH (GD).					
MITIGATION MEASURES: None required.					
MITIGATION MEASURES: None required. X. NOISE - Would the project result in:					
MITIGATION MEASURES: None required.				×	1,2,13,18
MITIGATION MEASURES: None required. X. NOISE - Would the project result in: a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? b) Exposure of persons to, or generation of, excessive groundborne					1,2,13,18
MITIGATION MEASURES: None required. X. NOISE - Would the project result in: a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?					

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Issues	Potentially Significant Impact	Less Than Significant Impact	No Impact	Information Sources
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			⊠	1
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			⊠	1
FINDINGS:				
MITIGATION MEASURES: None required.				
XI. POPULATION AND HOUSING - Would the projec	t:			
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				1,2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				1
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			×	1
XII. PUBLIC SERVICES - Would the project:				
a) Result in substantial adverse physical impacts associated with the				
provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response				
times or other performance objectives for any of the public services:				
Fire Protection?				1,2
			×	1,2
Fire Protection?				
Fire Protection? Police Protection?				1,2
Fire Protection? Police Protection? Schools?			×	1,2
Fire Protection? Police Protection? Schools? Parks?			X X X	1,2 1,2 1,2
Fire Protection? Police Protection? Schools? Parks? Other Public Facilities?			X X X	1,2 1,2 1,2
Fire Protection? Police Protection? Schools? Parks? Other Public Facilities? FINDINGS: MITIGATION MEASURES: None required. XIII. RECREATION			X X X	1,2 1,2 1,2
Fire Protection? Police Protection? Schools? Parks? Other Public Facilities? FINDINGS: MITIGATION MEASURES: None required.			X X X	1,2 1,2 1,2

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FINDINGS:					
MITIGATION MEASURES: None required.					
XIV. TRANSPORTATION / TRAFFIC - Would the p	roject:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)?					1,2,19
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?					1,2,19
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				\boxtimes	1,19
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?				\boxtimes	1,19
e) Result in inadequate emergency access?				\boxtimes	1,20
f) Result in inadequate parking capacity?				×	1,18
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				\boxtimes	1,2,18
FINDINGS	•			l. L	u e
MITIGATION MEASURES: None required. XV. UTILITIES AND SERVICE SYSTEMS - Would	the pro	ject:			
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				\boxtimes	1,15
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				\boxtimes	1,2,21
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?					1,17
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				\boxtimes	1,22
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				\boxtimes	1,21
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				×	1,21
g) Comply with federal, state, and local statutes and regulations related to solid waste?				×	1,21

MITIGATION MEASURES: None required.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
XVI. MANDATORY FINDINGS OF SIGNIFICANCE	E				
a) Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?					1,10
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects and the effects of other current projects.				\boxtimes	1,16
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				\boxtimes	1

MITIGATION MEASURES: None required

CHECKLIST REFERENCES

- 1. Environmental Clearance Application File No.
- 2. San Jose 2020 General Plan
- 3. USDA, Soil Conservation Service, Soil Survey of SC County, August 1968
- 4. USDA, Soil Conservation Service, Important Farmlands of SC County map, June 1979
- 5. State of California's Geo-Hazard maps / Alquist Priolo Fault maps
- 6. Riparian Corridor Policy Study 1994
- 7. San Jose Historic Resources Inventory
- 8. City of San Jose Archeological Sensitivity Maps
- 9. FEMA Flood Insurance Rate Map, Santa Clara County, 1986
- 10. California Department of Fish & Game, California Natural Diversity Database, 2001
- 11. City of San Jose Heritage Tree Survey Report
- 12. California Environmental Protection Agency Hazardous Waste and Substances Sites List, 1998
- 13. City of San Jose Noise Exposure Map for the 2020 General Plan
- 14. BAAQMD CEQA Guidelines, Bay Area Air Quality Management District. April 1996, revised 1999.
- 15. San Francisco Bay Regional Water Quality Control Board 1995 Basin Plan
- 16. Final Environmental Impact Report, City of San Jose, SJ 2020 General Plan
- 17. Santa Clara Valley Water District
- 18. City of San Jose Title 20 Zoning Ordinance
- 19. San Jose Department of Public Works
- 20. San Jose Fire Department
- 21. San Jose Environmental Services Department
- 22. San Jose Water Company, Great Oaks Water Company
- 23. California Division of Mines and Geology
- 24. Cooper Clark, San Jose Geotechnical Information Maps, July 1974

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